GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

B.C. Welfare Department - Appeal petition filed by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District, Srikakulam, against the proceedings of the Collector & District Magistrate, Srikakulam under section 7(2) of the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificate Act, 1993 – Appeal petition accepted – Orders – Issued.

BACKWARD CLASSES WELFARE (F) DEPARTMENT

G.O.RT.No. 25 Dated: 11-01-2019
Read the following:

1. The Collector and District Magistrate, Srikakulam Proceedings Rc.No. 1126/2016-C1/dt.06.07.2017

2. Appeal petition filed before the Government, by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District, Srikakulam.

3. Government Memo No. 2800/F/A2/2017, B.C. Welfare (F) Department, Dt: 20.02.2018.

4. The Collector and District Magistrate, Srikakulam Proceedings Rc.No. 1126/2016-C1/ dt. 19.05.2018.

5. Government Memo No. BCW01-16024/1/2018, Dt: 18.07.2018, 30.7.2018 and 01.8.2018.

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ORDER:

In the reference 1st read above the Collector and District Magistrate, Srikakulam, has issued orders, cancelling the "Attaru Saibulu" B.C – E caste certificate obtained by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District, duly declaring that, the said individual does not belong to "Attaru Saibulu" , B.C.- E , community.

2. In the reference 2nd read above, an appeal petition was filed before Government by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam, Srikakulam District, against the said proceedings of the Collector and District Magistrate, Srikakulam. After examining the said Appeal petition, Government have admitted the Appeal Petition and called for the para – wise remarks and connected records from the District Collector, Srikakulam District, vide reference 3rd read above.

3. In the reference 4th read above, the Collector and the District Magistrate, Srikakulam District has furnished the para-wise remarks and connected records on the Appeal Petition filed by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam, Srikakulam District.

4. In the reference 5th read above, the said Appeal Petition has been posted for hearing before the Government on 20.7.2018, 1.8.2019 and finally on 02.8.2018, and the same has been informed to the Appellant with a request to attend for the hearing on the said date posted, with relevant records and present the case in person or through authorized counsel.

5. Government after hearing the case and after examining the relevant records / copies of evidences / academic record / grounds filed by the appellant and after careful observation of the proceedings of the District Collector, and the para-wise remarks submitted by the District Collector, Srikakulam District, in reference `1st read above, and after hearing of the arguments, the following points on the community claim of Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District, are observed by the Appellate Authority.

6. In view of the above circumstances, Government have taken a decision to upheld the contention of the appellant, i.e., the sub-sect of the caste of the appellant is noted as BC (B) instead of BC (E). Later after due enquiry, the Government has classified and included the said sect, under the caste " Pattarupodulu" , under sub- sect " BC - (E)" . Accordingly, the M.R.O., who is competent authority has issued a Certificate under B.C.(E) after through enquiry by the VRO and the other responsible persons of the society. The Appellant, Kumari Jarina Bano Patan,

D/o Abdul Patan, produced all the records in support of her claim, but the Collector and District Magistrate has passed orders, without verifying the facts and not scrutinizing the ground reality reports of the village where Muslim community used to call as " Attaru" , by profession " Attaru Saibulu" , having a history of more than 100 years.

7. In view of the observations made above, giving due consideration of ground report, having benefit of doubt, hereby set aside, the orders of the District Collector, Srikakulam District, passed vide Proceedings Rc. No. 1126/2016-C1/dt.06.07.2017.

8. The Government, after careful examination of the entire matter, in exercising the powers conferred by the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act No.16 of 1993), decided that, the appeal petition filed by Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District is disposed of, as ordered above.

9. The Collector & District Magistrate, Srikakulam District shall take necessary action.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. UDAYA LAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Collector and District Magistrate, Srikakulam District
(BY RPAD)
Kum Jareena Bano Patan, D/o Abdul Patan, Chintada Village, Srikakulam District, Srikakulam.
Copy to
The Director, B.C. Welfare, A.P., Vijayawada.
PS to Minister (BCW)
PS to Prl Secretary, B.C.W. Department.
SF / SC.

//FORWARDED: BY ORDER//

SECTION OFFICER